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11 Defendant, *in pro se*

12 UNITED STATES DISTRICT COURT  
13  
14 NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)

15 Adobe Systems Incorporated,

16 Plaintiff,

17 v.

18 Todd Bennett, an individual and d/b/a Tonic  
Enterprises, and Does 1-10, inclusive,

19 Defendants.

Case No. C08-1545 MMC

JOINT NOTICE OF SETTLEMENT  
AND [PROPOSED] ORDER  
VACATING COURT DATES

20 TO THE COURT:

21 PLEASE TAKE NOTICE THAT Plaintiff Adobe Systems Incorporated ("Adobe") and  
22 Defendant Todd Bennett, an individual and d/b/a Tonic Enterprises ("Defendant"), hereby supply  
23 this notice that they have reached an agreement on the principal terms necessary to settle Adobe's  
24 claims. The Parties are in the process of documenting the terms upon which they have agreed and  
25 will file appropriate closing documents, including a proposed judgment of infringement and  
26 injunction by September 15, 2008.  
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28

1 Accordingly, Adobe and Defendant request that all court dates, including the Case  
2 Management Conference set for August 29, 2008, be vacated.

3  
4 Dated: August 14, 2008

J. Andrew Coombs, A Professional Corp.

5 By: Nicole L. Drey  
6 J. Andrew Coombs

7 Nicole L. Drey  
Attorneys for Plaintiff Adobe Systems Incorporated

8 Dated: August 14, 2008

Todd Bennett, an individual and d/b/a Tonic  
Enterprises

9 By: Todd Bennett

10 Todd Bennett, an individual and d/b/a Tonic  
11 Enterprises  
Defendant, *in pro se*

12  
13 **[PROPOSED] ORDER**

14 PURSUANT TO REQUEST, IT IS ORDERED.

15 DATED: August , 2008

16  
17  
18 Hon. Maxine M. Chesney  
19 UNITED STATES DISTRICT JUDGE

**PROOF OF SERVICE**

I, the undersigned, certify and declare that I am over the age of 18 years, employed in the County of Los Angeles, and not a party to the above-entitled cause. I am employed by a member of the Bar of the United States District Court of California. My business address is 517 E. Wilson Ave., Suite 202, Glendale, California 91206.

On August 14, 2008, I served on the interested parties in this action with the:

- JOINT NOTICE OF SETTLEMENT AND [PROPOSED] ORDER  
VACATING COURT DATES

for the following civil action:

Adobe Systems Incorporated v. Todd Bennett, et al.

by placing a true copy thereof in an envelope to be immediately sealed thereafter. I am readily familiar with the office's practice of collecting and processing correspondence for mailing. Under that practice it would be deposited with the United States Postal Service on the same day with postage thereon fully prepaid at Glendale, California in the ordinary course of business. I am aware that on motion of the party served, service presumed invalid if postal cancellation date or postage meter is more than one day after date of deposit for mailing in affidavit.

Todd Bennett 3138 West Dunbar Drive Phoenix, Arizona 85041	
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Place of Mailing: Glendale, California.

Executed on August 14, 2008, at Glendale, California.

  
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Nicole L. Drey